

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

David C. Magin,

Plaintiff,

VS.

**CASE NUMBER: 505cv1573
GTS/GJD**

**Cellco Partnership, d/b/a Verizon
Wireless; Verizon Wireless and
Managed Care Disability Plans and
MetLife Corporation,**

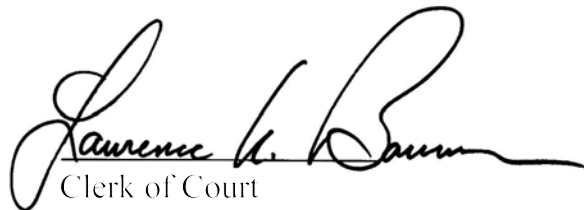
Defendant(s)

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED, the defendant's motion for summary judgment is granted and the plaintiff's motion for summary judgment is denied. The plaintiff's Complaint is dismissed in its entirety.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 29th day of September, 2009.

DATED: September 29, 2009


Clerk of Court

s/

Marie N. Marra
Deputy Clerk